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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ SEP 16 2011 ★

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QUENTIN WHITE,

Plaintiff,

-against-

**BROOKLYN OFFICE
ORDER**

09-CV-4238 (NGG) (LB)

NEW YORK CITY DEPARTMENT OF
CORRECTIONS MEDICAL UNIT, JONECIA
FERGUSON, SANDRA DOWLING, TAMARA
HARRISON, AND TIFFANY MASSEY,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff Quentin White ("White") brought suit under 42 U.S.C. § 1983, alleging that defendants New York City Department of Corrections and four individual DOCS officers ("the defendants") were deliberately indifferent to a medical condition he developed while incarcerated, in violation of his Fourteenth Amendment rights. The defendants moved the court to dismiss White's claims for failure to state a claim for which relief can be granted. See Fed. R. Civ. P. 12(b)(6). The court referred the defendants' motion to Magistrate Judge Lois Bloom for report and recommendation ("R&R") (Docket Entry # 53). Judge Bloom issued her R&R on August 24, 2011, recommending that the court dismiss without prejudice White's claim for failure to exhaust properly his administrative remedies (as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a)). (Docket Entry # 62).

No party has objected to Judge Bloom's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). Accordingly, the court reviews Judge Bloom's R&R for clear error. See 28

U.S.C. § 636(b)(1). Having reviewed Judge Bloom's R&R, the court adopts it in its entirety.

Accordingly, the court GRANTS Defendant's motion to dismiss the plaintiff's claim in its entirety without prejudice.

SO ORDERED.

Dated: Brooklyn, New York
September 15, 2011

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge